

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

[2010141/#531852]

DECLARATION OF DAVID A. GRUEBNER

DAVID A. GRUEBNER, declares and states that:

1. I am an attorney licensed to practice in the State of Hawaii, including this Court, and a partner of Ayabe, Chong, Nishimoto, Sia & Nakamura, the attorneys for Defendant MERScorp, INC., MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., CHASE HOME FINANCE LLC, and CHASE HOME FINANCE, INC. (hereinafter “Chase/MERS”) in the above-captioned case.

2. In December, 2011, when Plaintiffs requested that their depositions (as noticed by Chase/MERS) be continued, Chase/MERS granted the request. At the same time, Plaintiffs gave Chase/MERS an extension until 1/30/12

to serve their responses to Plaintiffs' discovery requests. The discovery responses were timely served on 1/30/12. *See* [153]-[158] Chase and MERS Defendants' certificates of service filed on 1/30/12.

3. I was present at multiple Court Conferences in this action when Plaintiffs were told on several times by Magistrate Judge Chang that they needed or had to comply with the Court Rules and Orders. Plaintiffs verbally acknowledged their understanding of those reminders.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, February 6, 2012.

/s/ David A. Gruebner  
DAVID A. GRUEBNER